

**Article 1: Planned Districts**

*(“Planned Districts” added 3-27-2007 by O-19585 N.S.; effective 4-26-2007.)*

**Division 2: Permits and Procedures for Planned Districts**

*(“Permits and Procedures for Planned Districts” added 3-27-2007 by O-19585 N.S.; effective 4-26-2007.)*

**§151.0201 Processing of Planned District Permits**

Planned district permits will be processed in accordance with the Land Development Code as follows:

- (a) Where a planned district requires a ministerial planned district permit, the permit will be processed in accordance with Process One.
- (b) Where a planned district requires a discretionary planned district permit that is identified as a Process Two decision, an applicant shall apply for a Neighborhood Development Permit in accordance with Land Development Code Chapter 12, Article 6, Division 1 (General Development Permit Procedures) and Division 4 (Neighborhood Development Permit Procedures). The findings required for approval will be the general findings for Neighborhood Development Permits in Land Development Code Section 126.0404(a), any applicable supplemental findings in Section 126.0404, and any additional findings provided in the planned district.
- (c) Where a planned district requires a discretionary planned district permit that is identified as a Process Three, Process Four, or Process Five decision, an applicant shall apply for a Site Development Permit in accordance with Land Development Code Chapter 12, Article 6, Division 1 (General Development Permit Procedures) and Division 5 (Site Development Permit Procedures). The findings required for approval will be the general findings for Site Development Permits in Land Development Code Section 126.0504(a), any applicable supplemental findings in Section 126.0504, and any additional findings provided in the planned district.
- (d) Where Section 151.0105 requires a Neighborhood Use Permit, an applicant shall apply for a Neighborhood Use Permit in accordance with Land Development Code Chapter 12, Article 6, Division 1 (General Development Permit Procedures) and Division 2 (Neighborhood Use Permit Procedures). The findings required for approval will be the general findings for Neighborhood Use Permits in Land Development Code Section 126.0205 and any additional findings provided in the planned district.

- (e) Where Section 151.0105 or the planned district requires a Conditional Use Permit, an applicant shall apply for a Conditional Use Permit in accordance with Land Development Code Chapter 12, Article 6, Division 1 (General Development Permit Procedures) and Division 3 (Conditional Use Permit Procedures). The findings required for approval will be the general findings for Conditional Use Permits in Land Development Code Section 126.0305 and any additional findings provided in the planned district.

*(“Processing of Planned District Permits” added 3-27-2007 by O-19585 N.S.; effective 4-26-2007.)*

#### **§151.0202 Initiation of Planned District Amendments**

The establishment, repeal, change in boundaries or change in development controls of a planned district may be initiated as follows:

- (a) The City Council or the Planning Commission may initiate the matters listed above by resolution.
- (b) Property owners that may be affected by the planned district regulations may file a petition with the City Manager. The petition must contain the signatures of the owners of at least 50 percent of the land located within the proposed or existing planned district.

*(“Initiation of Planned District Amendments” added 3-27-2007 by O-19585 N.S.; effective 4-26-2007.)*

#### **§151.0203 Additional Notice**

In addition to the persons entitled to be mailed notice as set forth in Section 111.0302(b), the City shall mail a Notice of Public Hearing to the owner of each parcel of land within the boundaries of the proposed planned district in accordance with Section 111.0302, no later than ten (10) working days before the date of the public hearing.

*(“Additional Notice” added 3-27-2007 by O-19585 N.S.; effective 4-26-2007.)*

#### **§151.0204 Decision Process**

- (a) The establishment, repeal, change in boundaries or change in development controls of a planned district may be approved or denied by the City Council in accordance with Process Five.
- (b) Planning Commission Recommendation.

- (1) After the conclusion of a public hearing, the Planning Commission may recommend to the Council by affirmative vote of not less than a majority of its total voting members, the adoption of a planned district ordinance which will accomplish one or more of the following:
    - (A) Incorporate all or a portion of the property requested to be placed in the planned district and impose development controls;
    - (B) Change the boundaries, as set forth in said notice, of an established planned district and, when appropriate, impose development controls;
    - (C) Change the development controls of an established planned district; or
    - (D) Repeal the planned district.
  - (2) In lieu of recommending adoption of an ordinance to accomplish one or more of the actions as set forth in this Section, the Planning Commission may recommend denial of the petition or proposal.
  - (3) The Planning Commission may recommend that the City Council adopt, change or repeal, any or all of the development controls listed in Section 151.0103.
  - (4) All recommended development controls shall recognize and reflect the special goals, objectives, requirements, criteria and standards of the adopted plans referred to in Section 151.0102.
- (c) City Council Decision.
- (1) At the conclusion of the public hearing, the City Council may take such action as it deems to be in the public interest as to the inclusion of property in a planned district or the exclusion of property from a district or the adoption or modification of development controls to a district.
  - (2) All development controls adopted by ordinance shall recognize and reflect the special goals, objectives, requirements, criteria and standards of the plan covering the area of which the planned district is a part.

- (3) The City Council may establish a planned district review board to evaluate the appropriateness of any use, construction, alteration or demolition of buildings, structures or premises in relation to development controls established in a planned district. Any ordinance establishing a planned district review board shall describe the precise powers and duties of the board, method of appointing members, tenure of office and other rules and regulations the City Council deems necessary.

*(“Decision Process” added 3-27-2007 by O-19585 N.S.; effective 4-26-2007.)*